

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing
OR
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 410289

First Named Inventor Li Nie

COMPLETE IF KNOWN

Application Number 10/617,565

Filing Date July 11, 2003

Art Unit 1761

Examiner Name Not Yet Assigned

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

GRAIN PROTEIN-BASED FORMULATIONS AND METHODS OF USING SAME

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

07/11/2003

as United States Application Number or PCT International

Application Number 10/617,565 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY) Country	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 3]

This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent ApplicationDirect all correspondence to: ☒ Customer Number or Bar Code Label 30954 OR ☐ Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventorGiven Name Li
(first and middle [if any])Family Name NIE
or SurnameInventor's
Signature

Date

1/12/04

Residence: City

State

Country

Citizenship

Kansas City

MO

United States

United States

Mailing Address

6627 N. Camden Avenue

City

State

Zip

Country

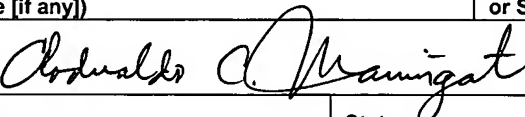
Kansas City

MO

64151

United States

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventorGiven Name Clodualdo
(first and middle [if any])Family Name Maningat
or SurnameInventor's
Signature

Date

1/12/04

Residence: City

State

Country

Citizenship

Platte City

MO

United States

United States

Mailing Address

15995 Country Lane West

City

State

Zip

Country

Platte City

MO

64079

United States

☒ Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

DECLARATION**ADDITIONAL INVENTOR(S)
Supplemental Sheet**

Page 3 of 3

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Sukh Dev		BASSI	
Inventor's Signature <i>Sukh Dev Bassi</i>		Date <i>12/16/03</i>	
Residence: City	Atchison	State	KS
Country	United States	Citizenship	United States
Mailing Address 1502 Hillcrest Drive			
Mailing Address			
City	Atchison	State	KS
ZIP	66002	Country	United States
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
Country		Citizenship	
Mailing Address			
Mailing Address			
City		Zip	
Country			
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
Country		Citizenship	
Mailing Address			
Mailing Address			
City		Zip	
Country			

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/617,565
Filing Date	July 11, 2003
First Named Inventor	Li Nie
Art Unit	1761
Examiner Name	Not Yet Assigned
Attorney Docket Number	410289

I hereby appoint:

☒ Practitioners at Customer Number

30954

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

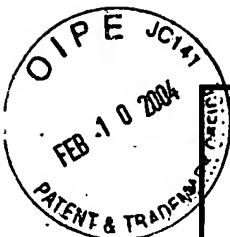
Name	Sukh Bassi, Ph.D.		
Signature	<i>Sukh Bassi</i>		
Date	11/21/04	Telephone	913-367-1480

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Li Nie, Clodualdo C. Maningat & Sukh D. BassiApplication No./Patent No.: 10/617,565Filed/Issue Date: July 11, 2003Entitled: GRAIN PROTEIN-BASED FORMULATIONS AND METHODS OF USING SAMEMGP Ingredients, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

12/16/03

Date

913-360-5246

Telephone Number

Sukh Bassi, Ph.D.

Typed or printed name

Sukh Bassi

Signature

Vice President, R&D

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ASSIGNMENT

WHEREAS, We, Li Nie of 6627 N. Camden Avenue, Kansas City, Missouri 64151; Clodualdo C. Maningat of 15995 Country Lane West, Platte City, Missouri 64079 and Sukh D. Bassi of 1502 Hillcrest Court, Atchison, Kansas 66002 state we have invented certain new and useful improvements in a

GRAIN PROTEIN-BASED FORMULATIONS AND METHODS OF USING SAME

for which we are about to make or have made application for Letters Patent of the United States; and

WHEREAS, MGP Ingredients, Inc, a corporation and having its principal place of business at 1300 Main Street, Atchison, Kansas 66002-0130, is desirous of acquiring an interest in, to and under said invention, said application, and any and all Letters Patent which may be granted for or upon said invention in the United States of America and all countries foreign thereto.

NOW THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we, Li Nie, Clodualdo C. Maningat and Sukh D. Bassi, have sold, assigned and transferred, and by these presents to sell, assign and transfer unto the said MGP Ingredients, Inc., the full and exclusive right, title and interest, throughout the world, in, to and under the following:

- (a) said invention as fully set forth and described in the specification prepared, and executed by us preparatory to obtaining Letters Patent of the United States therefor;
- (b) said application;
- (c) any and all refilings, divisions, continuations and continuations-in-part of said application;
- (d) any and all Letters Patent of the United States of America which may issue from said application, refilings, divisions, continuations and continuations-in-part;
- (e) any and all reissues and reexaminations of said Letters Patent of the United States of America;
- (f) any and all applications for Letters Patent upon said invention which may hereafter be filed in any and all countries foreign to the United States of America;
- (g) any and all refilings, divisions and continuations of said foreign-filed applications;
- (h) any and all Letters Patent of countries foreign to the United States of America which may issue from the said foreign-filed applications, refilings, divisions and continuations; and
- (i) any and all extensions of, and additions to, said Letters Patent of countries foreign to the United States of America.

ALL of the above shall be held and enjoyed by said MGP Ingredients, Inc., for its own use and benefit, and for its successors, legal representatives and assigns, to the full end of the term for which said Letters Patent may be granted, and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent in accordance with this Assignment.

Li Nie

STATE OF Kansas
COUNTY OF Atchison

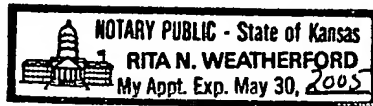
SS:

On this 12 day of January, 200⁴, before me personally appeared Li Nie to me known to be the person described in and who executed the foregoing instrument as his free act and deed.

In witness whereof, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Rita N Weatherford
Notary Public

My commission expires:
(SEAL)



Signed in my presence and acknowledged to be an assignment of the application herein above referred to:

WITNESS

Atchison, KANSAS
Signed At (City/State)

Patti Scholz
Name

Patti Scholz
Signature

1-12-04
Date

WITNESS

Atchison, KANSAS
Signed At (City/State)

Selma Key
Name

Selma Key
Signature

1-12-04
Date

Clodualdo C. Maningat
Clodualdo C. Maningat

STATE OF Kansas
COUNTY OF Atchison

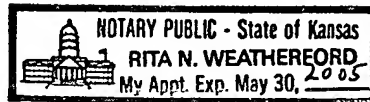
SS:

On this 12th day of January, 200~~2~~⁴, before me personally appeared Clodualdo C. Maningat to me known to be the person described in and who executed the foregoing instrument as his free act and deed.

In witness whereof, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Rita N. Weatherford
Notary Public

My commission expires:
(SEAL)



Signed in my presence and acknowledged to be an assignment of the application herein above referred to:

WITNESS

Atchison, KS
Signed At (City/State)

Pat H. Scholz
Name

Pat H. Scholz
Signature

1-12-04
Date

WITNESS

Atchison, KS
Signed At (City/State)

Selma Key
Name

Selma Key
Signature

1-12-04
Date

Sukh D. Bassi

Sukh D. Bassi

STATE OF Kansas

COUNTY OF Atchison

SS:

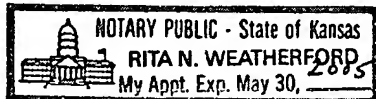
On this 16th day of December, 2003, before me personally appeared Sukh D. Bassi to me known to be the person described in and who executed the foregoing instrument as his free act and deed.

In witness whereof, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Rita N Weatherford

Notary Public

My commission expires:
(SEAL)



Signed in my presence and acknowledged to be an assignment of the application herein above referred to:

WITNESS

Atchison, KS

Signed At (City/State)

Patti Scholz

Name

Patti Scholz

Signature

12-16-03

Date

WITNESS

Atchison, KS

Signed At (City/State)

Selma Key

Name

Selma Key

Signature

12-16-03

Date